



Brenda Wisneski, Zoning Administrator

Rosalinh Ung, Associate Planner
Deborah Drasler, Contract Planner
Fern Nueno, Associate Planner
Jason Van Patten, Planning Technician
Melinda Whelan, Assistant Planner

C) PUBLIC HEARING ITEMS

Summary: A tentative parcel map application for two-unit condominium purposes. No exceptions to Title 19 (Subdivision Code) development standards are proposed with this application. An existing duplex is to be demolished and replaced with a proposed two-unit condominium project that will provide the code required two-car parking per unit. The property is located in the R-2 (Two-Unit Residential) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ____ approving Parcel Map No. NP2013-016 subject to the recommended findings and conditions.

CEQA

Compliance: The project is categorically exempt under Section 15315, of the California Environmental Quality Act (CEQA) Guidelines - Class 15 (Minor Land Divisions).

Item No. 3. Annual Review of Fletcher Jones Motorcars Development Agreement (PA2009-052)
3300 Jamboree Road Council District 3

Summary: An annual review of Development Agreement No. 9 for Fletcher Jones Motorcars, pursuant to Section 15.45.080 of the Municipal Code and Section 65865.1 of the California Government Code. On September 11, 1995, the City Council approved Development Agreement No. 9 between the City of Newport Beach and Fletcher Jones Motorcars, Inc. The purpose of the Development Agreement was to allow for the development of a previously undeveloped site, known as the San Diego Creek North, with the Fletcher Jones Mercedes Benz automobile dealership. The Zoning Administrator will review Fletcher Jones' good faith compliance with the provisions of the Development Agreement. The property is located in the PC-42 (San Diego Creek North) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Find the review exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321 (Class 21 - Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines;
 - 3) Find that the applicant has demonstrated good faith compliance with the terms of the Development Agreement; and
 - 4) Receive and file the Annual Report of the Development Agreement for Fletcher Jones Motorcars

CEQA

Compliance: This project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321 (Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment. This section exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency.

Item No. 4. Annual Review of Development Agreement for Newport Harbor Lutheran Church (PA2009-137)
798 Dover Drive Council District 3

Summary: An annual review of Development Agreement No. 10 for Newport Harbor Lutheran Church ("Church"), pursuant to Section 15.45.080 of the Municipal Code and Section 65865.1 of the California Government Code. The Development Agreement No. 10, executed in 1997, vested development rights for the expansion of Church facilities and the conveyance of park land to the City, and it also addressed parking for the Church. The Zoning Administrator will review the Church's good faith compliance with the provisions of the DA. The property is located in the PC-2 (Newport Harbor Lutheran Church) District.

Recommended

- Action:
- 1) Conduct public hearing; and

- 2) Find the review exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321 (Class 21 - Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines;
- 3) Find that the applicant has demonstrated good faith compliance with the terms of the Development Agreement; and
- 4) Receive and file the Annual Report of the Development Agreement for Newport Harbor Lutheran Church

CEQA

Compliance:

This project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321 (Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment. This section exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency.

Item No. 5.

**Koll Center Ground Signs Modification Permit No. MD2013-004 (PA2013-047)
4000, 4040, 4100, 4110, 4400, 4500, 4590 MacArthur Boulevard; 4200, 4220,
4320, 4340, 4343, 4350, 4440, 4490 Von Karman Avenue; 4900, 4910, 5000
Birch Street Council District 3**

Summary:

An amendment to previously approved Modification Permit No. MD2006-026 to allow an increase in sign height for five ground signs located in the Koll Center Planned Community. Three signs will replace previously approved signs, and two signs will be new. Proposed signs measure 8 feet 9 inches high. The Modification Permit is required to allow ground signs that exceed four feet in height. The property is located in the PC-15 (Koll Center, Office Site A and B) District.

**Recommended
Action:**

- 1) Conduct public hearing; and
- 2) Adopt Resolution No. ____ approving Modification Permit No. MD2013-004 subject to the recommended findings and conditions.

CEQA

Compliance:

The project is categorically exempt under Section 15311, of the California Environmental Quality Act (CEQA) Guidelines - Class 11 (Accessory Structures).

Item No. 6.

**4675 MacArthur Court Sign Modification Permit No. MD2013-011 (PA2013-150)
4675 MacArthur Court Council District 3**

Summary:

A request to exceed the maximum allowed sign area for wall signs within the Koll Center Planned Community (PC-15). The two proposed wall signs will serve as building and tenant identification signs at the top of a 16-story office building. The signs will be approximately 314 square feet including text and logo and would exceed the 200-square-foot limit established by the Koll Center Newport Planned Community district regulations. The property is located in the PC-15 (Koll Center) District.

**Recommended
Action:**

- 1) Conduct public hearing; and
- 2) Adopt Resolution No. ____ approving Modification Permit No. MD2013-011 subject to the recommended findings and conditions.

CEQA

Compliance:

The project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.